

**FILED**  
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U.S. DISTRICT COURT E.D.N.Y.  
★ **MAR 14 2007** ★

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

\_\_\_\_\_  
PHILIP TZORTZATOS, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
CAPITAL GENOMIX, INC., A. JOHN )  
LEONTAKIANAKOS, and SPYRO KROKIDIS )  
 )  
Defendants. )  
\_\_\_\_\_ )

P.M. \_\_\_\_\_  
TIME A.M. \_\_\_\_\_

Case No: 06-CY-05387-ILG-KAM

**STIPULATION OF DISMISSAL**

Plaintiff, Philip Tzortzatos, by his counsel Brian Kennedy, Esq., pursuant to Fed. R. Civ.  
P. 41(a)(1), hereby stipulates and agrees that all claims asserted by Plaintiff against Defendant  
Spyro Krokidis, who has not filed an answer in this action, shall be and are hereby dismissed.

\_\_\_\_\_  
/s/  
Brian Kennedy, Esq. (BK-8588)  
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New York, NY 10005  
(212) 687-0099  
Attorneys for Plaintiff,  
Philip Tzortzatos

SO ORDERED, this 13<sup>th</sup> day of March, 2007.

\_\_\_\_\_  
Judge